

Kristina N. Holmstrom, SBN 10086  
kristina.holmstrom@ogletree.com  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C  
10801 W. Charleston Blvd., Ste. 500  
Las Vegas, NV 89135  
Telephone: 702-369-6800  
Fax: 702-369-6888

*Attorneys for Defendants*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

MARK POLSTON,

Plaintiff,

vs.

NORFOLK SOUTHERN CORPORATION  
LONG-TERM DISABILITY BOARD OF  
MANAGERS, AS PLAN ADMINISTRATOR  
OF THE NORFOLK SOUTHERN  
CORPORATION - RBO LONG-TERM  
DISABILITY PLAN; HARTFORD LIFE  
AND ACCIDENT INSURANCE  
COMPANY, AS CLAIMS  
ADMINISTRATOR FOR THE NORFOLK  
SOUTHERN CORPORATION - RBO  
LONG-TERM DISABILITY PLAN,

Defendants.

Case No.: 2:24-cv-01408

**STIPULATION AND ORDER TO  
EXTEND TIME FOR DEFENDANTS  
TO RESPOND TO COMPLAINT**  
(SECOND REQUEST for HARTFORD)  
(FIRST REQUEST for NORFOLK  
SOUTHERN CORPORATION LONG-  
TERM DISABILITY BOARD OF  
MANAGERS)

Pursuant to LR IA 6-1 and LR IA 6-2, the parties request and stipulate to extend the time for Defendants to respond to Plaintiff's Complaint (ECF No. 1). Although Defendant Hartford's response to Plaintiff's complaint was due on September 26, 2024, defense counsel and plaintiff's counsel have been working together to attempt to sort out numerous preliminary and complex issues relating to the applicable ERISA plans at issue. In addition, Kristina N. Holmstrom, Esq. has since been retained to also represent Defendant Norfolk Southern Corporation Long-Term Disability Board of Managers.<sup>1</sup> The parties thus stipulate that defendants shall file their answers on or before

<sup>1</sup> The parties are discussing the proper name for the plan and plan administrator. Nothing in this Stipulation waives any argument in that regard.

November 5, 2024. This is Norfolk's first request for an extension of time and Hartford's second request.

This stipulation is made in good faith and is not intended for purposes of delay.

Dated this 24<sup>th</sup> day of October, 2024.

LAW OFFICE OF JULIE A. MERSCH

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

/s/ Julie A. Mersch

/s/ Kristina N. Holmstrom

Julie A. Mersch, SBN 004695

Kristina N. Holmstrom, SBN 10086

jam@merschlaw.com

kristina.holmstrom@ogletree.com

428 S. 4<sup>th</sup> Street

10801 W. Charleston Blvd., Ste. 500

Las Vegas, NV 89101

Las Vegas, NV 89135

Telephone: 702-387-5868

Telephone: 702-369-6800

Fax: 702-387-0109

Fax: 702-369-6888

*Attorneys for Plaintiff Mark Polston*

*Attorneys for Defendants*

**IT IS SO ORDERED**

**DATED:** 11:55 am, October 25, 2024



**BRENDA WEKSLER**

**UNITED STATES MAGISTRATE JUDGE**